

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
DECEMBER 2, 1964

A regular meeting of the City Council of the City of Lodi was held beginning at 8 p.m. of Wednesday, December 2, 1964, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - Culbertson, Dow, Kirsten,
Walton and Brown (Mayor)

Absent: Councilmen - None

Also present were City Manager Graves, City Attorney Mullen, Administrative Assistant Peterson and Planning Director Schroeder.

MINUTES On motion of Councilman Culbertson, Dow second, the minutes of November 18, 1964, were approved as written and mailed.

PLANNING COMMISSION

SANGUINETTI
SERVICE
STATION
USE PERMIT

Mr. Graves stated that the County Board of Supervisors had requested the City Council to make a recommendation on the request of the L. R. Sanguinetti Estate for a use permit to erect a service station at the northeast corner of Turner Road and Church Street extended, the Board having continued the hearing thereon to December 17, 1964. The Council subsequently referred the matter to the Planning Commission for a recommendation. The Planning Commission at its meeting of November 23, 1964 had considered the development of the entire Sanguinetti property on the north side of Turner Road, concluding that the entire plan is acceptable provided:

1. That the property is annexed to the city with existing zoning;
2. that a definite schedule of phasing, which is now lacking, be provided by the developers;
3. that a density of dwelling units per acre which is agreeable to both parties be provided;
4. that the developers guarantee the protection of the natural beauty of the river; and
5. that if the above conditions are met, consideration be given for C-S zoning, Commercial Shopping District, for maximum protection.

Councilman Dow outlined previous action on the request, stating that the original request for a use permit for the service station had been submitted to the County Planning Commission which then asked for a recommendation from the City Planning Commission. The City Planning Commission had recommended that the request be denied, but the County Planning Commission had approved the request. The City then appealed to the County Board of Supervisors from the decision of the County Planning Commission and the Board of Supervisors is now requesting a recommendation from the City Council.

After discussing the phasing of developments under C-S zoning, the Sanguinetti property, including that on the south side of Turner Road which is undeveloped except for a service station, and the purpose of the Master Plan, it was moved by Councilman Walton that the Council recommend to the County Board of Supervisors that a use permit

Minutes of December 2, 1964 continued

applied for by the L. R. Sanguinetti Estate for a service station on the north side of Turner Road at the extension of Church Street adjacent to the Lodi City Limits not be issued since the station would be spot zoning and contrary to the City's Master Plan. The motion was seconded by Councilman Culbertson and carried by the following vote:

Ayes: Councilmen - CULBERTSON, KIRSTEN, WALTON
and BROWN

Noes: Councilmen - DOW

Mr. Benjamin F. Lyons, representing the L. R. Sanguinetti Estate, said the Council did not do what the Board of Supervisors had asked, that the Board wanted the Council to make a recommendation on the entire plan and not just the service station. Mr. Graves then read the letter from the County Counsel and the copy of the Board's motion which directed "that the proposed use permit applied for by the L. R. Sanguinetti Estate for a service station on property located on the northeast corner of Turner Road and the extension of Church Street in an Interim Agricultural Zone I-PA (Protected Agriculture), near Lodi, California, be referred to the City Council of the City of Lodi for their recommendation." Mr. Lyons disagreed, stating that it was not what the Board of Supervisors wanted.

PC DENIES
MARDEE KIDD
REZONING
REQUEST

At its meeting of November 23, 1964 the Planning Commission denied the request of Mr. Mardee Kidd, President, Max-Val Food Stores, for a change in zoning from R-1 One-Family Residential and R-3 Limited Multiple-Family Residential to C-S Commercial-Shopping District for a site on the north side of West Lodi Avenue between Ham Lane and the West Campus of Lodi High School.

COMMUNICATIONS

MARDEE KIDD
APPEAL

A letter was read from Lindsay P. Marshall, Attorney for Mardee Kidd, appealing the decision of the Planning Commission in denying the request for rezoning of property on the north side of Lodi Avenue between Ham Lane and the West Campus to C-S. On motion of Councilman Dow, Walton second, the appeal was set for public hearing at the meeting of December 16, 1964.

COUNTY-WIDE
COMMITTEE
FOR ANTI-
POVERTY
PROJECTS

A motion was read from the County Board of Supervisors establishing the County-wide Screening Committee for projects to be determined under the Economic Opportunity Act. The Committee is to be composed of the five members of the Board of Supervisors, one member from each of the city councils of Stockton, Lodi, Manteca, Tracy, Ripon and Escalon, and then each member will appoint one additional person, making a total of twenty-two Committee members. Mayor Brown said that he had attended the initial meeting for the formation of the Committee. He explained the Federal Government had \$304 million to spend nation-wide on the anti-poverty program and that for the first ~~three~~ ^{first} years the Federal Government would grant 90% of the funds and local jurisdictions would provide 10%. The Mayor stated there was a lot of work to be done and that each city should have a local committee to assist the members of the County-wide committee. Councilman Dow moved that Mayor Brown represent the City of Lodi on the Committee. The motion was seconded by Councilman Culbertson and carried.

MINUTES
12/10/64

DELTA COLLEGE
FESTIVAL

An invitation was received to attend the "Annual Discovery Festival: Portugal" at San Joaquin Delta College on December 11 and 12.

Minutes of December 2, 1964 continued

ABC LICENSE A notice was received of the application for transfer of alcoholic beverage license, on-sale beer, for Muhamed S. Yehia, Royal Cafe, 117 North Sacramento Street.

REPORTS OF THE CITY MANAGER

CLAIMS Claims in the amount of \$119,834.30 were approved on motion of Councilman Culbertson, Dow second.

WITHDRAW
ROYAL HOST ADD.
FROM WRCFPD
RES. NO. 2778
ADOPTED The annexation of the Royal Host Addition to the City of Lodi having been completed, on motion of Councilman Culbertson, Dow second, the City Council adopted Resolution No. 2778 withdrawing the Royal Host Addition from the Woodbridge Rural County Fire Protection District.

GARBAGE RATE
AND PERMIT TO
HAUL INCREASED

ORD. NO. 776
INTRODUCED Consideration of the request of the Sanitary City Disposal Company for an increase in domestic garbage rates being the next item on the agenda, Councilman Kirsten excused himself from the meeting because of possible conflict of interest and left the Council Chambers. The City Clerk read a communication from C. C. Baumbach objecting to any increase in rates. Mr. Graves read a letter from Mr. Max Elson, the Company's insurance carrier, explaining the increase in insurance rates for the Company.

Attorney Robert Mertz, 404 West Pine Street, addressed the Council on behalf of the Disposal Company. He stated that the Company had received a copy of the report prepared by the City Manager on the requested increase and in light of the report's contents, the Company is amending its application by withdrawing its request for an increase on the second can and by requesting a 20¢ increase on the first can instead of 30¢. Mr. Graves said it should also be decided whether an increase should be only on domestic garbage or on commercial also. Mr. Rudy Vaccarezza of the Disposal Company said agreements are worked out on an individual basis for commercial service and increase in rates would be for increase in service. Councilman Culbertson felt the commercial rates should be reviewed.

Councilman Dow moved the introduction of Ordinance No. 776 amending Section 11-3 of the City Code and thereby setting the domestic garbage rate for the first container at \$1.30 per month, effective on all service rendered on and after January 15, 1965. His motion was seconded by Councilman Culbertson and carried unanimously.

Mr. Graves explained that the Code provides that those who do not want garbage service are able to obtain a permit to haul their own garbage for \$5 per year. This fee was established in 1949 and its relationship to the garbage rates has not been kept up. Mayor Brown considered that \$15 would be a reasonable fee. However, other members of the Council were of the opinion that \$10 would be sufficient. Councilman Walton moved that Section 11-8 of the Code be amended to provide for a hauling permit fee of \$10 per year, including it in Ordinance No. 776 just introduced. His motion was seconded by Councilman Culbertson and carried by the following vote:

Ayes: Councilmen - CULBERTSON, DOW and WALTON
Noes; Councilmen - BROWN
Absent: Councilmen - KIRSTEN

Councilman Kirsten returned to the Council meeting.

PLANS FOR
SEWAGE
TREATMENT
PLANT The Council spent some time in discussing the need for land in relation to the two alternate plans in the Yoder Sewage Treatment Plant report, one providing for treatment by oxidation ponds and the other by activated sludge.

Minutes of December 2, 1964 continued

Mention was made of the land that would be taken by the West Side Freeway and the peripheral canal of the State's Water System. Councilman Culbertson moved that the Yoder report be set for discussion at the meeting of December 16, 1964 and that Mr. Yoder be asked to attend. His motion was seconded by Councilman Kirsten and carried.

EASEMENT
FROM STATE

RES. NO. 2779
ADOPTED

Mr. Graves presented an easement deed from the State of California to provide an easement for a sanitary sewer line at the end of Delores Street adjacent to the Freeway. Mr. Graves recommended that the deed be accepted. On motion of Councilman Walton, Dow second, the City Council adopted Resolution No. 2779 approving acquisition of the easement above mentioned.

DEED FROM
INEZ HUPPERT
FOR SACTO ST
WIDENING

A proposal has been received from Mrs. Inez Huppert that she deed five feet of the Sacramento Street side of her property at the northeast corner of Sacramento and Tokay Streets and the corner radius in order that the City may be able to widen Sacramento Street and to realign the curb line. At the present time the curb on Tokay Street is farther north than it should be and provides an intersection which creates some problems with traffic movements. A drawing of the proposed change was shown to the Council. In exchange for the deed Mrs. Huppert is asking the City to replace existing curbs and gutters as necessary and to furnish two driveways and sidewalk along the west and south lines of her property. However, she had been told that in keeping with the policy of the City, the only sidewalk to be installed by the City would be along Sacramento Street and the radius on the corner. Councilman Culbertson suggested that in exchange for the deed the City offer to install sidewalk for the area where it is necessary to change the alignment. Mrs. Huppert, who was present, said that she would be willing to accept this proposal providing the sidewalk would go to the middle of the Tokay Street side of her property and she would not have to put in the balance of the sidewalk at this time. Councilman Culbertson moved that in exchange for the property the City install curb, gutter and sidewalk for the length of the area where it will be necessary to realign the curb. The motion was seconded by Councilman Kirsten and carried, with Councilman Walton abstaining because of possible conflict of interest.

LOADING ZONE
SENIOR CITIZENS
CLUB

RES. NO. 2780
ADOPTED

Mr. Graves reported that the Senior Citizens Club is having the sidewalk repaired and a driveway eliminated in front of their property at 113 North School Street. The elimination of the driveway will provide additional space for the enlargement of two parking spaces that are on either side of the driveway. The Club would like to have the parking space adjacent to the alley converted to a loading zone for the convenience of its members. The Director of Public Works recommends approval of the request providing the loading zone is a passenger loading zone. On motion of Councilman Culbertson, Kirsten second, the City Council adopted Resolution No. 2780 establishing a passenger loading zone in the parking space adjacent to the alley at 113 North School Street.

SE CORNER OF
TOKAY AND
SACRAMENTO

Mayor Brown stated that the south side of Tokay Street east of Sacramento Street stuck out like a sore thumb and was a traffic hazard. The owner of the property, Mr. J. P. Liebig, has suggested that the curb be moved back 8½ feet and he would be willing to put in a 4½ foot sidewalk and to close up the door to his building which is on the property line. Assistant City Engineer Robison

Minutes of December 2, 1964 continued

said that the present right of way was inadequate so that if the curb and gutter were moved now it would have to be replaced again at a later date. Councilman Walton suggested that Mr. Robison look further into the situation.

CONDEMNATION
PROCEEDINGS
R/W FOR E.
LODI AVE.

RES. NO. 2781
ADOPTED

City Attorney Mullen stated that in connection with the widening of East Lodi Avenue it would be necessary to start condemnation proceedings to obtain right of way along the Edgar Beoshanz property at the northeast corner of Lodi and Central Avenues, since he has been unsuccessful in negotiating with Mr. Beoshanz. On motion of Councilman Culbertson, Dow second, the City Council adopted Resolution No. 2781 declaring that the public interest, necessity, and convenience require the widening of East Lodi Avenue and directing the City Attorney to start condemnation proceedings for the acquisition of right of way from Edgar Beoshanz.

SELECT
STREET
SYSTEM

RES. NO. 2782
ADOPTED

Mr. Glaves presented a map of the proposed Select System of City streets which he explained was essentially the same as the map which had been approved by the Council on February 19, 1964 by Resolution No. 2698. However, the Division of Highways finds the wording of Resolution No. 2698 unacceptable in order for the City to be eligible for Gas Tax and Collier-Unruh Local Transportation Development Act funds, and therefore it is being requested that the Council adopt a new resolution approving the "City of Lodi Select System." On motion of Councilman Dow, Kirsten second, the City Council adopted Resolution No. 2782 "Designating Map Prepared by the City of Lodi Public Works Department as the Approved Select Street System."

T. BANDELIN
RESIGNS FROM
PLANNING COM.

Mayor Brown stated that a letter had been received from Thomas E. Bandelin submitting his resignation from the Planning Commission. The Mayor accepted the resignation with regrets and suggested that an appointment to fill the vacancy be made at the next regular Council meeting.

CITY MANAGER
SALARY
INCREASE

On motion of Councilman Culbertson, Kirsten second, the salary of the City Manager was raised to \$16,500 per year effective December 1, 1964.

ADJOURNMENT

There being no further business, on motion of Councilman Culbertson the Council adjourned, it being 10:45 p.m.

Beatrice Garibaldi

Attest: Beatrice Garibaldi
City Clerk